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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,787	01/25/2002	Tsuneo Sakamoto	1921-0137P	6280
2292	7590	10/20/2003	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			LE, JOHN H	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 10/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/054,787

Applicant(s)

SAKAMOTO ET AL.

Examiner

John H Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other:

***Respons to Amendment***

1. This office action is in response to applicant's amendment received on 09/10/2003.

Claims 1-3 have been amended.

Claims 4-11 have been added.

The abstract has been amended.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 6-7, and 10-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Nagel et al. (USP 5,592,549) in view of Kasajima et al. (USP 2002/0007304).

Regarding claims 1-3, 10-11, Nagel et al. teach a device for retrieving information from secure electronic information source. The device comprising a communication line for connecting the facility site and decryption controller, which read on the management center (e.g. Col.7, lines 12-16), a information source, which read on a database for storing various information (e.g. Col.1, lines 11-20, Col.1, line 66-Col.2, lines 7) and a control unit for reading requested information from the database in response to a request of the facility site to provide the various information (e.g. Col.10, lines 36-56), and transmitting the requested information read from the database to the facility site

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through the communication line, the facility site having an information retrieval unit, requesting the control unit to provide the various information through the communication line, receiving the requested information transmitted from the control unit through the communication line, and confirming contents thereof (e.g. Col.11; lines 10-24, Col.12, lines 46-57).

Regarding claims 6, Nagel et al. teach outputting the requested information at the facility site (e.g. Col.7, lines 40-58),

Nagel et al. fail to teach step of monitoring the equipment to collect operating state information regarding the equipment and detecting an abnormality in the operating state of equipment.

Kasajima et al. teach system for monitoring information on living facilities and equipment used in dwelling houses, office buildings or the like is constantly watched by a dwelling management server and the dwelling management server automatically sends the monitoring information to a service server equipped on a communication network immediately when there occurs a change in monitoring information and at specific time intervals when there is no change in monitoring information. The dwelling management server includes communication terminals of the network-adapted type, is two-way communicably connected to communication network and the information communication network connected to the living facilities and equipment in the office buildings, dwelling houses or the like, selects from among different kinds of service information prepared in advance when receiving the monitoring information, and sends back the selected service information to the multi-functional terminal unit as visual

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displaying information (e.g. Abstract, [0044], [0052]). Kasajima et al. teach the diagnostic result information returned by the service server 6 includes the living facilities and equipment 3 are normal if they are so, or the living facilities and equipment 3 are abnormal and the analyzed result of the abnormality if they are abnormal. It further includes a list in which attribute information sent by the dwelling service server 5 is edited so as to be easily viewable. Advice information includes procedure of inspection and fixing and confirmation method of fixing per equipment ([0089]). Kasajima et al. teach step of determining the various information is to be requested for equipment in response to collected operating state information ([0087]-[0090]).

Regarding claim 7, Kasajima et al. teach step of determining the various information is to be requested for equipment in response to collected operating state information ([0087]-[0090]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include step of monitoring the equipment to collect operating state information regarding the equipment and detecting an abnormality in the operating state of equipment as taught by Kasajima et al. in a device for retrieving information from secure electronic information source of Nagel et al. for purpose of providing a system of preparing market trend investigation reports on new products or new service by collecting and sending storing daily use actual result of home appliances and electronic products or other related matter about customers to a center management server equipped on a communication network (Kasajima et al., [0010]-[0011]).

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4. Claims 4-5 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagel et al. (USP 5,592,549) in view of Kasajima et al. (USP 2002/0007304) as applied to claims 1-2 above, and further in view of Spira et al. (US 2002/0035495 A1).

Regarding claims 4-5 and 8-9, the combination of Nagel et al. and Kasajima et al. discussed supra, discloses the claimed invention except equipment comprises thermal equipment and water treatment equipment.

Spira et al. teach the method for inspecting equipment that comprising thermal equipment and water treatment equipment (e.g. [0049]-[0050]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to inform the method for inspecting equipment that comprising thermal equipment and water treatment equipment as taught by Spira et al. in a device for retrieving information from secure electronic information source of Nagel et al. in view of Kasajima et al. for purpose of providing a technical services and maintenance services to customers, for plants and facilities (Spira et al., [0010]-[0011]).

### ***Response to Arguments***

5. Applicant's arguments filed 09/10/2003 have been fully considered but they are not persuasive.

-Applicant argues that the prior did not teach, "monitoring the equipment to collect operating state information regarding the equipment and detecting an abnormality in the operating state of equipment".

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The combination of Nagel et al. and Kasajima et al. teach "monitoring the equipment to collect operating state information regarding the equipment and detecting an abnormality in the operating state of equipment" as discussed above.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Specifically Nagel et al., and Kasajima et al. have been added to second ground of rejection.

### ***Contact Information***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John H. Le whose telephone number is (703) 605-4361. The examiner can normally be reached on 9:00 - 5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on (703) 308-3126. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

John H. Le

Patent Examiner-Group 2863

October 10, 2003



**MICHAEL NGHIEM  
PRIMARY EXAMINER**